

ORDINANCE NO. 20080807-075

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3811 WADFORD STREET IN THE DAWSON NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-V-CO-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence-neighborhood plan (SF-3-NP) combining district to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district on the property described in Zoning Case No. C14-2007-0048, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.297 acre tract of land, more or less, out of Blocks 6 and 7, Fortview Addition, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 3811 Wadford Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. Except as specifically provided in Part 3, Part 4, and Part 5 of this ordinance, the Property may be developed in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City Code.

PART 3. The Property is subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*) as follows:

- A. The Property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*).
- B. The Property is subject to the parking reductions identified in Article 4.3.3 E.3. (*Dimensional and Parking Requirements*).

- C. Ten percent of residential units available for rental in a vertical mixed use building shall be reserved for households earning no more than 60 percent of the Annual Median Family Income.

PART 4. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 1,000 trips per day.

- B. The following uses are prohibited uses of the Property:

Agricultural sales and services	Building maintenance services
Campground	Construction sales and services
Commercial blood plasma center	Convenience storage
Electronic prototype assembly	Electronic testing
Equipment repair services	Equipment sales
Kennels	Laundry service
Monument retail sales	Veterinary services
Vehicle storage	Limited warehousing and distribution
Maintenance and service facilities	Transitional housing
Transportation terminal	

- C. Drive-in service use is prohibited as an accessory use to commercial uses.

PART 5. The Property is subject to Ordinance No. 011206-10 that established the Dawson neighborhood plan combining district.


PASSED AND APPROVED

SSS


Win Win -

Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Gentry
City Clerk

FIELD NOTES

Being 0.297 acre, a portion of Blocks 6 and 7, Fortview Addition, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Book Z, Page 606, Plat Records, Travis County, Texas, being the same tract described in a deed to Robert Westbye, recorded in Volume 9257, Page 236, Real Property Records, Travis County, Texas, and being more particularly described as follows.

BEGINNING at an iron pipe found in the east line of Wadford Street (R.O W varies), at the northeast corner of a tract described in a deed to the City of Austin, recorded in Volume 12658, Page 156, Real Property Records, Travis County, Texas, at the southwest corner of the Resubdivision of Lot 2, Krebs Lane Addition, a subdivision of record in Book 65, Page 63, Plat Records, Travis County, Texas, for the northwest corner of this tract

THENCE, with the south line of said subdivision and the north line of this tract, S 60°30'00" E, said course constitutes directional control for this survey, 130 21', to an iron pipe found for the northeast corner of this tract.

THENCE, with the west line of a tract described in a deed to Bill Cox, et al, recorded in Volume 12552, Page 369, Real Property Records, Travis County, Texas, the west line of a tract described in a deed to William Ng, recorded in Volume 7737, Page 111, Deed Records, Travis County, Texas, and the east line of this tract, S 24°44'15" W, passing at 105.46', an iron pipe found, in all, 131.85', to the northeast corner of a tract described in a deed to Harry Bon Hor Ng, et ux, recorded in Volume 4759, Page 1624, Deed Records, Travis County, Texas, for the southeast corner of this tract.

THENCE, with the north line and a portion of the west line of said Ng tract and the south line of this tract, the following two (2) courses

- 1.) N 70°35'00" W, 49 41', to the northwest corner of said Ng tract, for an angle point,
- 2) S 63°35'00" W, 9 17', to a 5/8" iron pin found in the west line of said Ng tract, at an angle point in the east line of a tract described in a deed to Howard L. Long recorded in Volume 3823, Page 2085, Deed Records, Travis County, Texas, for the southwest corner of this tract

THENCE, with the east and north line of said Long tract and the west line of this tract, the following three (3) courses:

- 1.) N 24°41'47" E, 63 80', to a 1/2" iron pin found at an angle point,
- 2.) N 17°42'48" W, 17 73', to a 1/2" iron pin found at an angle point;
- 3) N 59°53'14" W, 61.95', to a 1/2" iron pin found in the east line of Wadford Street, at the southeast corner of said City of Austin tract, the northwest corner of said Long tract, at an angle point in the west line of this tract.

THENCE, with the east line of said City of Austin tract, the east line of Wadford Street, and the west line of this tract, N 23°52'33" E, 71 67', to the **PLACE OF BEGINNING**, and containing 0.297 acre of land, more or less.

Prepared from a survey made on the ground February 8, 2007, by
Arpenteurs Professional Surveying
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Austin, Texas 78754
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EXHIBIT A

